

Chapter 12.20

SUBSIDEWALK SPACE

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12.20.010 Permit — Required when — Issuance. It is unlawful to use any vault, space, room or structure under any street or sidewalk in the city, where the city owns the fee or has the power to control the use of such space, without having first secured a permit therefor as is required in this chapter. Such permits shall be issued by the city clerk and shall be signed by the mayor. No such permit shall be transferred excepting in accordance with the provision of this chapter. (Prior code § 18.601).

12.20.020 Permit — Application requirements. Applications for a permit to use or maintain a vault, space, room or structure under any street or sidewalk in the city shall be made in writing to the city clerk, and shall state thereon specifically the size of the space intended to be used or maintained, and the purpose for which it is to be used. Each application shall contain an agreement by the applicant to abide by the regulations contained in this chapter. (Prior code § 18.602).

12.20.030 Bond required. Each applicant shall file with the application a bond in the sum of ten thousand dollars, with surety approved by the mayor and city council conditioned to save the city harmless from any liability resulting from or caused by such vault, room or structure.

Whenever, in the opinion of the mayor and city council, the sureties on such bond become insolvent or unlawful, different sureties may be required by order of the mayor and City council. (Prior code § 18.603),

12.20.040 Permit — Fee. The annual fee to be paid for such permits is twenty dollars for each two thousand cubic feet or fraction thereof included in the vault, room, space or structure used or maintained under the permit. (Prior code § 18.606).

12.20.050 Conveyance of premises — Permit must be transferred. Whenever any premises abutting on any such vault, room or structure for which a permit has been issued is conveyed or whenever the interest or lease or right of occupancy of the person holding

the permit is transferred or conveyed, the grantee or transferee must make application for a transfer of the permit to him or it, and must furnish a bond as is required in Section 12.20.030. A fee of two dollars shall be required for such transfer, and upon the payment of the fee and the full compliance with the contents hereof a new permit shall be issued. (Prior code § 18.604).

12.20.060 Opening or stairway requirements. All openings through the sidewalk or street into any such vault, space, room or structure shall be kept covered and guarded. If the opening is a manhole or trapdoor, an adequate, strong metal cover must be provided and must be equipped with rough surface so that there will be no danger of any pedestrian slipping on it. If a stairway is provided, the stairway must be properly guarded with a railing at least three feet high to protect pedestrians from injury. (Prior code § 18.605).

12.20.070 Applicability of chapter to present uses. Any person, firm or corporation using or maintaining any such vault, space, room or structure subject to the provisions of this chapter shall comply with the provisions of this chapter within ten days after this chapter comes into effect as an ordinance. The city council may authorize the Street and alley commissioner to close up any vault, space, room or structure for which no such permit has been obtained. (Prior code § 18.607).

12.20.080 Prohibited uses. No such vault, room, space or structure shall be used for the storage of explosives or flammable liquids, nor shall a cesspool be located therein. (Prior code § 18.608).

12.20.090 Construction requirements — Inspection. Such vaults, rooms, spaces or structures shall be firmly constructed so as to support the sidewalk or street over it or them, with the maximum load which the sidewalk or street will carry, with a margin of safety of fifty percent over its maximum load or weight.

The street and alley commissioner shall inspect all such rooms, spaces, vaults, or structures to see to the enforcement of the provisions of this section. (Prior code § 18.609).

12.20.100 Sidewalk maintenance. The surface of the sidewalk over any such structure shall be kept free of snow and ice, and free from all dirt and obstruction of any kind, by the person holding the permit. And such person must keep the sidewalk over such structure in good repair. (Prior code § 18.610).

12.20.110 Permits may be revoked for violation. Any permit issued under the provisions of this chapter may be revoked by order of the mayor and city council for a violation of any of the provisions of this chapter. (Prior code § 18.611).

12.20.120 Penalty for violation. Any person, firm or corporation violating any of the provisions of this chapter shall be fined no less than five dollars nor more than five hundred dollars for each offense; and a separate offense shall be deemed committed on

each and every day during or on which a violation occurs or continues. (Prior code § 18.61 2).